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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,319	05/30/2001	Debasish Banerjee	ROC920010082US1	7641

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IBM Corporation
Intellectual Property Law, Dept. 917
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EXAMINER

BAYARD, DJENANE M

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,319

Applicant(s)

BANERJEE ET AL.

Examiner

Djenane M. Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to amendment filed on 1/13/05 in which claims 1-53 are pending.

Double Patenting

2. Claims 1-2, 4-11-19, 21-26-32 this application conflict with claims 1, 4-8, 13-20, 24-27 and 31-33 of Application No 10/000686. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. See MPEP § 822.

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-2, 4-11-19, 21-26-32 provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4-8, 13-20,

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24-27 and 31-33 of copending Application No. 10/000686. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one with ordinary skill in the art to incorporate “an internationalization context management policy” into the claimed invention of Application No. 09/870319. Furthermore, It would have been obvious to one with ordinary skill in the art at the time to implement wherein the “internationalization context specifies geographically specific parameters for the client device” into the claimed invention of application No. 10/000686.

Application No. 09/870319	Application No. 10/000686
<p>1. A system in a distributed computing environment having a plurality of nodes located across geographically dispersed boundaries, comprising: a server configured with an internationalization application programming interface configured to extract an internationalization context provided by a client device <u>wherein the internationalization context specifies geographically specific parameters for the client device</u>; and a resource manager configured to receive the internationalization context extracted by the server and process a request received from the client device using the internationalization context.</p>	<p>1. A system in a distributed computing environment having a plurality of nodes located across geographically dispersed boundaries, comprising: a server configured with an internationalization application programming interface configured to extract an internationalization context provided by a client device and <i>retrieve an internationalization context management policy</i>; and a resource manager configured to receive the internationalization context <i>and internationalization context management policy extracted by the server</i> and process a request received from the client device using the internationalization context <i>that is configured by the internationalization context management policy</i>.</p>
10. A method operative in a distributed	8. A method of processing requests in a

<p>computing environment having clients and a plurality of servers located across geographically dispersed boundaries, comprising: receiving , at a server a first request from a client; receiving a second request from the client at the server, wherein the second request comprises an internationalization context for processing the first request <u>wherein the internationalization context specifies geographically specific parameters set for the client</u>; extracting the internationalization context from the second request; and processing the first request at the server using the internationalization context.</p>	<p>distributed computing environment having clients and a plurality of servers located across geographically dispersed boundaries, comprising: receiving a first request from a client at a server; receiving a second request from the client at the server, wherein the second request comprises an internationalization context for processing the first request; extracting the internationalization context from the second request; <i>retrieving an internationalization context management policy</i>; and processing the first request at the server using the internationalization context <i>that is configured by the internationalization context management policy</i>.</p>
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This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Response to Arguments

4. Applicant's arguments with respect to claim have been considered but are moot in view of the new ground(s) of rejection.

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3-4, 7-23, 26-53 of are rejected under 35 U.S.C. 102(e) as being anticipated by JavaServer Pages by Hans Bergsten.

a. As per claims 1 and 21, Bergsten teaches a system in a distributed computing environment having a plurality of nodes located across geographically dispersed boundaries, comprising: a server configured with an internationalization application programming interface configured to extract an internationalization context provided by a client device (See Section 11.1 and 11.2, API consists of a number of classes and interfaces that define the methods that make it possible to process HTTP requests in a web server-independent manner. The Accept-language header value in the request from the client is extracted by the webserver). Furthermore, Bergsten teaches a resource manager configured to receive the internationalization context extracted by the server and process a request received from the client device using the internationalization context (See Section 11.1, All Java classes that provide localization support use a class named java.util.locale. An instance of this class represents a particular geographical

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as specified by a combination of a language code and country code. The `getLocale ()` method returns the Locale with the highest preference ranking, and the `getLocales ()` method returns an enumeration of all locales in order of preferences... match the preferred locales to the ones that your web application supports).

b. As per claim 10, 33 and 45, Bergsten teaches a method operative in a distributed computing environment having clients and a plurality of servers located across geographically dispersed boundaries, comprising: receiving a first request from a client at a server (See Section 11.1.1, A browser can send a request for a web resource); receiving a second request from the client at the server, wherein the second request comprises an internationalization context for processing the first request (See Section 11.1.1 A browser can send an Accept –Language header with a request for a web resource) extracting the internationalization context from the second request; and processing the first request at the server using the internationalization context (See Section 11.1.1, The `getLocale ()` method returns the locale with the highest preference ranking and the `getLocales()` method returns an enumeration of all locales in order in preference).

c. As per claim 27, Levy et al teaches parsing a message from a client computer, wherein the message contains internationalization context , wherein the internationalization context specifies geographically specific parameters set for the client computer whereby a computing environment of the client computer reflects the internationalization context to a user of the client computer(See Section 11.1.1 A browser can send an Accept –Language header with a request for a web resource; extracting the internationalization context from the request ; and providing the

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internationalization context to an application in order to configure the application to processes a request from the client computer according to the internationalization context provided by the client computer(See Section 11.1.1, The `getLocale ()` method returns the locale with the highest preference ranking and the `getlocales()` method returns an enumeration of all locales in order in preference).

d. As per claims 16, 31, 39 and 46, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization context contains at least a locale specification and a time zone identifier (See Section 11.1)

e. As per claims 17,32 and 40, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the locale specification comprises at least one of a country identifier, a language identifier and a currency identifier (See Section 11.).

f. As per claim 18 and 41, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches processing the first request according to a country identifier of the server if the internationalization context does not contain a country identifier (See Section 11.1)

g. As per claim 19, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches processing the first request according to a universal time zone identifier if the internationalization context does not contain a time zone identifier of the client

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(See Section 11.1).

h. As per claims 20 and 42, Bergsten teaches the claimed invention as described above.

Furthermore, Bergsten teaches processing the first request according to a time zone identifier of the server if the internationalization context does not contain a time zone identifier (See Section 11.1).

i. As per claim 3, 11 and 34, Bergsten teaches the claimed invention as described above.

Furthermore, Bergsten teaches wherein the resource manager comprises an application which is configured to use the internationalization context to perform calculations and return a result formatted according to a specification of the internationalization context (See Section 11.1).

j. As per claims 4, 13, 22, 26 and 38, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization context contains a country identification (See Section 11.1).

k. As per claims 7, 12 and 35, Bergsten teaches the claimed invention as described above.

Furthermore, Bergsten teaches wherein the internationalization context is transmitted by the server to at least one of the plurality of nodes in the distributed computer environment (See Section 11.1).

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l. As per claims 8, 14, 29 and 37, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the internationalization context comprises locale information and a time zone identifier (See Section 11.1).

m. As per claims 9, 26 and 44, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the locale information comprises at least one of a country identifier, a language identifier and a currency identifier (See Section 11.2).

n. As per claim 23, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches wherein the client and the plurality of servers are located across geographically dispersed boundaries (See Section 11.1, It is well known in the art that client and servers can be located across geographically dispersed boundaries).

o. As per claim 43, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches a computer data signal embodied in a transmission medium, comprising an internationalization context containing at least a locale specification and a time zone identifier, wherein the internationalization context configures a processor of a computer to process requests according to the internationalization context (See Section 11.2)

q. As per claim 47, Bergsten teaches the claimed invention as described above. Furthermore, Bergsten teaches sending a first main body of the first request to the thread (See

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Section 11.2)

r. As per claim 48, Bergsten teaches the claimed invention as described above.

Furthermore, Bergsten teaches attaching the internationalization context to a second main body to form a second request; and transmitting the second request to a third computer (See Section 11.2).

s. As per claim 49, Bergsten teaches the claimed invention as described above.

Furthermore, Bergsten teaches wherein the second main body is associated with an interface, and wherein the internationalization component is not added to the interface (See Section 11.1).

t. As per claim 50, Bergsten teaches the claimed invention as described above.

Furthermore, Bergsten teaches wherein the thread comprises a legacy application thread (See Section 11.2).

v. As per claim 51, Bergsten teaches the claimed invention as described above.

Furthermore, Bergsten teaches wherein the internationalization component comprises culture sensitive information (See Section 11.1).

w. As per claim 52, Bergsten teaches generating a main body of a request and attaching an internationalization context to the main body, wherein the internationalization context is not

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added to the application interface (See Section 11.1 and section 11.2).

x. As per claim 53, Bergsten teaches the claimed invention as described above.

Furthermore, Bergsten teaches wherein the internationalization context contains at least a locale specification and a time zone identifier (See Section 11.1).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 5-6 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over JavaServer Pages by Hans Bergsten in view of U.S. Patent Application No. 2002/0184308 to Levy et al.

a. As per claim 2, Bergsten teaches the claimed invention as described above. However, Bergsten fails to teach wherein the resource manager is a database management system.

Levy et al teaches a globalization and normalization features for processing business objects. Furthermore, Levy et al teaches wherein the resource manager is a database management system (See page 3, paragraph [0017]).

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It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the resource manager is a database management system as taught by Levy et al in order to provide a multi locale processing configuration for uniformly processing multi locale information being sent to and received from a variety of subsystem (See page 3, paragraph 0017)).

b. As per claims 5 and 24, Bergsten teaches the claimed invention as described above. However, Bergsten fails to teach wherein the internationalization context contains a language identification.

Levy et al teaches a globalization and normalization features for processing business objects. Furthermore, Levy et al teaches wherein the internationalization context contains a language identification (See page 4, paragraph [0041]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the internationalization context contains a language identification as taught by Levy et al in order to provide a multi locale processing configuration for uniformly processing multi locale information being sent to and received from a variety of subsystem (See page 3, paragraph 0017)).

c. As per claims 6 and 25, Bergsten teaches the claimed invention as described above. However, Chiles et al fails to teach wherein the internationalization context contains a time zone identifier.

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Levy et al teaches a globalization and normalization features for processing business objects. Furthermore, Levy et al teaches wherein the internationalization context contains a time zone identifier (See page 4, paragraph [0042]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the internationalization context contains a time zone identifier as taught by Levy et al in order to provide a multi locale processing configuration for uniformly processing multi locale information being sent to and received from a variety of subsystem (See page 3, paragraph 0017)).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

Patent Examiner


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER